

REMARKS/ARGUMENTS

The Office Action mailed December 8, 2005, has been received and reviewed. Claims 1 through 35 are currently pending in the application. Applicant affirms the election to prosecute the invention of Group I, claims 1 through 19, and therefore claims 20 through 35 are withdrawn from consideration as being drawn to a non-elected invention. Claims 1 through 16 and 18 through 19 stand rejected. Claim 17 has been objected to as being dependent upon a rejected base claim, but the indication of allowable subject matter in such claim is noted with appreciation. Applicant has amended claims 1, 10, and 17, has canceled claims 5 and 13, and respectfully requests reconsideration of the application as amended herein.

Information Disclosure Statement(s)

Applicant notes the filing of an Information Disclosure Statement herein on September 2, 2005, and notes that no copy of the Form PTO/SB/08 was returned with the outstanding Office Action. Applicant respectfully requests that the information cited on the PTO/SB/08 be made of record herein. Applicant further requests that a copy of the same, as initialed by the Examiner, be sent to Applicant's attorney of record.

35 U.S.C. § 112 Claim Rejections

Claims 8 and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses this rejection, as hereinafter set forth.

Claim 8 stands rejected as being indefinite for the terms "high structure" and "low structure" with reference to pigments since the same are not defined in the specification. However, applicant respectfully disagrees with the Examiner's contention. As expressly stated in the specification at paragraph [0007], "the term 'high structure' refers to a pigment having a dibutylphthalate absorption number ('DBP number') greater than approximately 100ml/100 g, per ISO 4656 or similar test methods. In contrast, 'low structure' refers to a pigment having a DBP number ranging from approximately 40ml/100 g to approximately 70 ml/100 g."

Claim 14 stands rejected as not having sufficient antecedent basis for the limitations “the first domain” and “the second domain”. However, applicant respectfully disagrees with the Examiner’s contention. Claim 14 depends from claim 10, which in turn expressly recites that “the first pigment dispersion is formulated to interact with a first domain of the plain paper and the second pigment dispersion is formulated to interact with the second domain of the plain paper.” (emphasis added).

In view of the foregoing, applicant respectfully requests withdrawal of the present rejections.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on U.S. Patent No. 6,440,203 to Kato

Claims 1 through 4, 9 through 12, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kato (U.S. Patent No. 6,440,203). Applicant respectfully traverses this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claim 1 has been amended to require segregation of the first pigment and second pigment dispersions when deposited on a glossy print medium. Claim 1 further requires that the pigment in the first pigment dispersion be dispersed with a polyacrylate and that the pigment in the second pigment dispersion be dispersed with a sulfonate. Kato does not describe segregation of the first and second pigment dispersions, nor does it describe dispersion of the first pigment with a polyacrylate and dispersion of a second pigment with a sulfonate. Claims 2-4 and 9 depend from and contain all of the limitations of amended claim 1.

Independent claim 10 has been amended to require that each of the first pigment dispersion and the second pigment dispersion be formulated to interact with a domain selected from the group consisting of cellulose domains, domains of sizing agents, and domains of calcium carbonate. However, Kato does not describe interaction of a first and a second pigment with cellulose domains, domains of sizing agents, and domains of calcium

carbonate. Claims 11, 12, and 19 depend from and contain all of the limitations of amended claim 10.

In view of the foregoing, applicant respectfully submits that Kato does not anticipate the presently rejected claims and further requests withdrawal of the present rejections.

Anticipation Rejection Based on U.S. Patent No. 6,387,168 to Koitabashi et al.

Claims 1 through 4, 10 through 12, 15, 16, and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Koitabashi et al. (U.S. Patent No. 6,387,168). Applicant respectfully traverses this rejection, as hereinafter set forth.

As previously discussed, independent claim 1 has been amended to require segregation of the first pigment and second pigment dispersions when deposited on a glossy print medium. Claim 1 further requires that the pigment in the first pigment dispersion be dispersed with a polyacrylate and that the pigment in the second pigment dispersion be dispersed with a sulfonate. Koitabashi et al. does not describe segregation of the first and second pigment dispersions, nor does it describe dispersion of the first pigment with a polyacrylate and dispersion of a second pigment with a sulfonate. Claims 2-4 depend from and contain all of the limitations of amended claim 1.

As previously described, independent claim 10 has been amended to require that each of the first pigment dispersion and the second pigment dispersion be formulated to interact with a domain selected from the group consisting of cellulose domains, domains of sizing agents, and domains of calcium carbonate. However, Koitabashi et al. does not describe interaction of a first and a second pigment with cellulose domains, domains of sizing agents, and domains of calcium carbonate. Claims 11, 12, 15, 16, and 18 depend from and contain all of the limitations of amended claim 10.

In view of the foregoing, applicant respectfully submits that Koitabashi et al. does not anticipate the presently rejected claims and further requests withdrawal of the present rejections.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on U.S. Patent No. 6,440,203 to Kato

Claims 5 through 8, 15, 16, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato (U.S. Patent No. 6,440,203). Applicant respectfully traverses this rejection, as hereinafter set forth.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Claim 5 has been canceled. Thus, the rejection is moot.

Claims 6 through 8 depend from and contain all of the limitations of amended claim

1. As previously discussed, claim 1 requires segregation of the first pigment and second pigment dispersions when deposited on a glossy print medium, and further requires that the pigment in the first pigment dispersion be dispersed with a polyacrylate and that the pigment in the second pigment dispersion be dispersed with a sulfonate. However, Kato does not teach or suggest segregation of the first and second pigment dispersions, nor does it teach or suggest dispersion of the first pigment with a polyacrylate and dispersion of a second pigment with a sulfonate.

Claims 15, 16, and 18 depend from and contain all of the limitations of amended claim 10. As previously discussed, claim 10 requires that each of the first pigment dispersion and the second pigment dispersion be formulated to interact with a domain selected from the group consisting of cellulose domains, domains of sizing agents, and domains of calcium carbonate. However, Kato does not teach or suggest interaction of a first and a second pigment with cellulose domains, domains of sizing agents, and domains of calcium carbonate.

In view of the foregoing, applicant respectfully requests reconsideration and withdrawal of the obviousness rejections based on Kato.

Obviousness Rejection Based on U.S. Patent No. 6,387,168 to Koitabashi et al.

Claims 5 through 9, 13, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Koitabashi et al. (U.S. Patent No. 6,387,168). Applicant respectfully traverses this rejection, as hereinafter set forth.

Claim 5 has been canceled. Thus, the rejection is moot.

Claims 6 through 9 depend from and contain all of the limitations of amended claim 1. As previously discussed, claim 1 requires segregation of the first pigment and second pigment dispersions when deposited on a glossy print medium, and further requires that the pigment in the first pigment dispersion be dispersed with a polyacrylate and that the pigment in the second pigment dispersion be dispersed with a sulfonate. However, Koitabashi et al. does not teach or suggest segregation of the first and second pigment dispersions, nor does it teach or suggest dispersion of the first pigment with a polyacrylate and dispersion of a second pigment with a sulfonate.

Claim 13 has been canceled. Thus, the rejection is moot.

Claim 19 depends from and contain all of the limitations of amended claim 10. As previously discussed, claim 10 requires that each of the first pigment dispersion and the second pigment dispersion be formulated to interact with a domain selected from the group consisting of cellulose domains, domains of sizing agents, and domains of calcium carbonate. Claim 10 also requires that the first pigment dispersion and the second pigment dispersion be formulated to interact with first and second domains of plain paper, respectively. However, Koitabashi et al. does not teach or suggest interaction of a first and a second pigment with cellulose domains, domains of sizing agents, and domains of calcium carbonate, nor does it teach or suggest a first pigment dispersion and a second pigment dispersion that are formulated to respectively interact with first and second domains of plain paper.

In view of the foregoing, applicant respectfully requests reconsideration and withdrawal of the obviousness rejections based on Koitabashi et al.

Objection to Claim 17/Allowable Subject Matter

Claim 17 stands objected to as being dependent upon a rejected base claim, but is indicated to contain allowable subject matter and would be allowable if placed in appropriate

independent form. Claim 17 has been amended to incorporate all of the limitations of base claim 10, overcoming the stated objection. Applicant wishes to thank the Examiner for the notice of allowable subject matter.

ENTRY OF AMENDMENTS

The amendments to claims 1, 10, and 17 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application.

CONCLUSION

Claims 1-4, 6-12, and 14-19 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,



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